April 25, 1994

Dear Interested Citizen:

Re: ENVIRONMENTAL RESTORATION DISPOSAL FACILITY (ERDF)

The Tri-Party agencies appreciate your interest in and comments on the Environmental Restoration Disposal Facility. To keep you informed regarding the disposition of comments, we have attached our responses to substantive comments. The Tri-Parties recognize that the comments reflect a genuine interest in protecting the environment and reducing the cost of environmental remediation.

The scoping process generated a substantial number of comments, which, upon review, appear to fall into several broad categories. For example, many comments addressed subjects such as: the siting evaluation for the facility; the use and roles of regulations such as the Comprehensive Environmental Response, Compensation, and Liability Act and the National Environmental Policy Act; and the concern that waste might be brought in from outside the Hanford Site. These categories of comments were grouped together to facilitate responses.

We appreciate your comments and will continue to keep you informed on our progress.

Sincerely,

Pamela S. Innis
U.S. Environmental Protection Agency

Enclosure

cc w/Enc: L. Davies, Ecology
D. Faulk, EPA
B. Foley, DOE
N. Hepner, Ecology
Admin Record (ERDF)

ENVIRONMENTAL RESTORATION DISPOSAL FACILITY (ERDF)
Responsiveness Summary

The proposed Environmental Restoration Disposal Facility (ERDF) is the cornerstone for the Hanford Site environmental remediation mission. It would establish a waste management facility to support the cleanup mission. The ERDF would be located between the 200 West and 200 East Areas of the Hanford Facility, on the Central (200 Area) Plateau, Benton County, Washington. This is the preferred site based on evaluations of potential sites on the Central Plateau meeting the facility land area requirements and the Washington State and DOE siting criteria, including protection of human health and the environment, geologic and hydrologic suitability, protection of archeological and historical sites, and construction and operational considerations. The proposed location minimizes the damage to environmentally or culturally more sensitive areas.

Initial facility construction would accommodate wastes from cleanup sites which are presently under investigation. The facility would be expanded incrementally to meet future cleanup needs. This approach allows the facility to be tailored to the requirements of site cleanup, thereby minimizing the "footprint" and environmental impact. By the end of Hanford Site cleanup, the total capacity would not exceed 28 million cubic yards of waste.

During the scoping period (Jan 10 - Feb 8, 1994), the public provided valuable input and direction to help define the substantive environmental and regulatory issues that need to be emphasized in the ERDF Regulatory Package. The Regulatory Package will consist of the necessary documentation to objectively evaluate the proposed facility and will be available for public comment during June/July 1994.

The following organizations and individuals commented either orally at the public meetings or had submitted written comments:

Yakama Indian Nation (YIN)
Heart of America (HOA)
John J. Wick, Jr (JJW)
Washington Department of Fish and Wildlife (DFW)
U.S. Fish and Wildlife Service(USFWS)
Washington Department of Health (DOH)
Lower Columbia Basin Audubon Society (LCBAS)
Hanford Watch (HW)
Eric Hoppy (EH)
Confederated Tribes of the Umatilla Indian Reservation (CTUIR)
Pat Herbert (PH)
William M.Hayward(WMH)
Cynthia Sarthou (CS)
Chris Kemp (CK)
Irwin M. Diamond (IMD)
Jan Koegler (JK)
John M. Davis (JMD)
Michael A. Lilga (MAL)

Every comment was reviewed and considered. The comments were divided into the following four categories:

- Use Land Wisely
- Dispose of Hanford Site Wastes Only
- Design and Operate a Safe Facility
- Comply with the Law

Although specific comments from each commenter are not identified. Those commenting on the four categories are identified with their initials.

Use Land Wisely:

Commenters: YIN, CTUIR, DFW, USFWS, MAL, LCBAS, CK, WMH,

Several commenters requested that the land on the Central Plateau be used wisely and any land dedicated to waste management be minimized. Many are concerned with the decline of native shrub-steppe habitat in Washington State and the lack of a specific Department of Energy Plan for management of this disappearing resource. Discussions are in progress with representatives of the Department of Energy's Richland Operations Office, the U.S. Department of the Interior, and the Washington State Department of Fish and Wildlife to develop and implement a biological resource management plan.

Based on these comments, the need for the facility, and recommendations of the Hanford Future Sites Uses Working Group, the ERDF alternative using the least amount of land will be presented as the preferred alternative in the Regulatory Package. This burial trench would only be expanded as the Hanford Site remediation progresses. The total area disturbed by ERDF (without allocation for contingency) would be reduced to approximately 1.6 square miles. This is a direct result of the evolving trench engineering design which allows a significant decrease from the original estimate of 6.12 square miles. While the 1.6 square mile figure does not include contingency space, it is believed that the 1.6 square miles would support the current waste volume estimate of 28 million cubic yards of remediation waste.

Several commenters requested that the 200 BC control area, a surface contaminated site, be considered for siting the ERDF. Based on this comment, an independent study considered the 200 BC control area as a potential site. While the study shows both advantages and disadvantages, it concludes that the disadvantages significantly outweigh the benefits of adopting the 200 BC control area as the preferred site. In summary, the study states that the 200 BC control area should not be chosen as the primary site for the following key reasons: 1) existing contamination causes inherent difficulty with monitoring facility performance during operations and after closure; 2) contaminated surface soils from the 200 BC Area would have to be double handled and will increase contamination exposure to personnel and environment; 3) increased cost of performing work in a contaminated area and the potential problems associated with personnel

working in a contaminated area; 4) switching the preferred site to the 200 BC control area would substantially delay cleanup along the Columbia River.

Other commenters requested a more thorough evaluation of the flora and fauna present at this site. In addition to the flora and fauna inventory accomplished on the preferred site in the Spring of 1993, a comprehensive environmental baseline survey of the ERDF primary site will be completed by September 1994.

Dispose of Hanford Site Wastes Only:

Commenters: CTUIR, YIN, HOA, JK, PH

Several commenters were adamant that out-of-state wastes NOT be accepted in the proposed ERDF. The proposed ERDF would operate as a Corrective Action Management Unit (CAMU), which by regulatory definition can only accept Hanford Site remediation waste. No waste from outside the Hanford site would be accepted in the ERDF. Initially, ERDF would be constructed and operated under a CERCLA ROD as a designated CAMU, which would allow the facility to accept Hanford CERCLA waste. Later, a request for approval to be permitted to operate under RCRA as a regulated CAMU, would allow the facility to accept Hanford RCRA waste as well. Eventually, the ERDF would be CERCLA and RCRA authorized, therefore, allowing remediation wastes from throughout the entire Hanford Site.

Design and Operate a Safe Facility:

Commenters: CTUIR, YIN, HOA, JMD, CK, JJW, DOH, HW, CS, EH

Several commenters provided specific recommendations on the design of the facility. Based on their comments, the ERDF would be double-lined and include a leachate collection system, and a RCRA equivalent final cover for waste isolation. The facility would provide permanent disposal for Hanford site remediation wastes in a manner that isolates the waste from the environment.

Additionally, during facility operation, only wastes compatible with the design of the facility would be accepted. Waste acceptance would be limited to low level radioactive and mixed wastes. Some decontamination and demolition waste, which is covered by the RCRA debris rule, would be accepted at the ERDF; no newly generated wastes would be allowed. Remediation waste generators would be required to characterize wastes before they are shipped to ERDF; if treatment is required in order to meet waste acceptance criteria, or required by the operable unit ROD, the remediation waste generator would be responsible for accomplishing any necessary waste treatment. When shipped by truck or rail, the remediation wastes would travel no further than fifteen miles, the approximate distance from the Columbia river shore to the Central Plateau.

Upgrades to the Hanford Site rail system would be completed as required to safely support shipments to ERDF. To control the release of radioactive contaminants in the air, the ERDF would use dust suppressants and curtail operations during variable or high winds.

Follow the Law:

Commenters: CTUIR, YIN, HOA, CS

Several commenters were concerned about the roles of the CERCLA and NEPA processes for the ERDF project. During the recent Tri-Party Agreement negotiation, the Tri-Parties agreed to minimize duplicative processes and speed up cleanup. Accordingly, the ERDF would employ a pilot project concept to demonstrate functional equivalence of CERCLA for NEPA. CERCLA would be the implementing mechanism for the ERDF facility and NEPA elements will be included in the Regulatory Package. Although the functional equivalency of CERCLA and NEPA has not been addressed in case law, the U.S. Department of Justice has stated in the past that CERCLA appears to be functionally equivalent to NEPA. More importantly, the Tri-Parties are committed to cleanup and believe that eliminating duplicative procedures will allow remediation to proceed in a more expeditious and cost-effective manner. For construction and operation of the proposed ERDF, CERCLA will be the authorizing mechanism. When a CERCLA Record of Decision is issued the, the ERDF would be able to accept CERCLA remediation waste. For RCRA remediation waste, a modification to the Hanford Facility Dangerous Waste Permit is required.